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Mexico: The Accidental Narco?

by Paul Rexton Kan

The Obama Administration's *National Security Strategy* clearly makes the case: "Stability and security in Mexico are indispensable to building a strong economic partnership, fighting the illicit drug and arms trade, and promoting sound immigration policy."¹ For the *National Security Strategy*, it was the first time that the words "stability and security" were used in association with Mexico. President Barack Obama himself was clearer: "I think it's unacceptable if you've got drug gangs crossing our borders and killing U.S. citizens. I think if one U.S. citizen is killed because of foreign nationals who are engaging in violent crime, that's enough of a concern to do something about it."² But doing something about it is proving to be exceptionally thorny.

With the escalation of drug cartel and gang violence in Mexico directly and indirectly affecting US interests, the US government's response has been to bolster border security and support Mexican president Felipe Calderon administration's efforts to break the cartels and strengthen the institutions of the Mexican state. This approach can be labeled as "contain and consolidate"—contain Mexico's violence within that country while helping Mexico consolidate its government reforms to better combat corruption and tackle the cartels. The centerpiece of this approach is the multi-year, billion dollar Merida Initiative that was initiated in 2008 by the Bush Administration and re-authorized and expanded in 2010 by the Obama Administration. The Merida Initiative is at its core a joint security plan with four pillars: 1) Disrupting organized criminal groups; 2) institutionalizing the rule of law; 3) building a 21st century border; 4) building strong and resilient communities.³

Nonetheless, contain and consolidate as manifested by the Merida Initiative has not led to substantial reductions in violence in Mexico or in drug smuggling to the US. In fact, the current policy has led to what can be described, at best, as a stalemate between Mexican state authorities and the cartels. As in any war, a stalemate can be particularly dangerous as each side attempts to break through by turning up the levels of violence.

The use of the Mexican military to bolster law enforcement efforts has brought some success in removing many cartel leaders from positions of power. However, the long-term use of the military in counternarcotics roles has led to many drawbacks in other cases. The use of such a strategy has tempted and personally enticed many members of the military who are involved in counternarcotics operations. The lucrative nature of drug trafficking has corrupted

¹ *The National Security Strategy of the United States of America*, White House: Washington, DC, 2010, 42-42.

² Interview with President Obama by Regional Reporters, 12 March 2009, URL: http://www.eneuwpf.com/index.php?option=com_content&view=article&id=6317:interview-of-president-obama-by-regional-reporters&catid=1&Itemid=88889791 (Accessed on 17 March 2009).

³ Claire Seelke and Kristin Finklea, Congressional Research Service, *US-Mexican Security Cooperation: The Merida Initiative and Beyond* (7-5700). Washington, DC: Government Printing Office, 2010.

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many military commanders who saw opportunities for personal enrichment. Corruption of the Mexican military has already surfaced. A number of soldiers have been arrested for accepting payments from a drug cartel to provide intelligence about government operations against drug gangs.⁴

In addition, human rights concerns have typically arisen in other instances of military actions in the realm of law enforcement. Soldiers are not trained for key interactions with the public when it comes to dealing with crimes. In Mexico, there have been charges by the public that the military has engaged in torture and disappearances.⁵ Mexico's National Human Rights Commission has logged a large increase in the number of abuse claims against the National Defense Ministry since 2006.⁶ The UN has also called on the government to remove the military from policing duties.⁷ Human rights concerns can also be used by the cartels to generate popular opposition that leads to political pressure to remove the armed forces from the streets, allowing a freer hand for the cartels. Human rights concerns may also affect US funding for the Merida Initiative. Releasing funds for any efforts to tackle drug cartels will face obstacles from members of the US Congress who believe that foreign aid to police agencies and militaries must be linked to the upholding of basic human rights in those countries. When these concerns are combined with US budget concerns, the overall effect may be to reduce or eliminate Merida Initiative support, leaving Mexico to fend for itself.

The continued reliance by the Mexican government on the military for non-military purposes has led to a strategic stalemate between the Mexican government and the cartels. Current and future attempts to break the stalemate may have the ironic effect of causing the end of the Merida Initiative, thereby deepening the crisis in Mexico and creating even more strategic dilemmas for the US.

Understanding the Stalemate

The Mexican government has been unable to break-up the cartels substantially enough to either reduce the rates of violence in portions of the country or to stem the amount of drug trafficking. Homicide rates have stabilized in the most violent Mexican states while violence has spread to areas like Monterrey and Acapulco that were once thought to be immune from street battles and gruesome scenes like beheadings, hangings from highway overpasses and crucifixions in schoolyards. In other cases where militaries have encountered a stalemate at the strategic level has often meant ratcheting up tactics in an effort to show progress. With the jump in the number of human rights abuse claims against the Mexican military, this may already be happening.

The cartels are also at a stalemate because their violence has not lessened the Mexican government's efforts to break them. The pressure against the cartels from the Mexican government is unmistakable. "Had Mexico stamped its most-wanted list on a deck of playing

⁴ Sergio Flores and Mark Walsh, "13 Mexican Troops Charged with Transporting Drugs", Associated Press, 4 March 2010; and Jose de Cordoba and David Luhnnow, "Mexican Army Officers Detained for Cartel Payments", *Wall Street Journal*, 15 June 2009, URL: <http://online.wsj.com/article/SB124510705768916735.html>

⁵ Steve Fainaru and William Booth, "Mexico Using Torture to Battle Drug Trafficker, Rights Groups Say", *Washington Post*, 9 July 2009, URL: <http://www.washingtonpost.com/wp-dyn/content/article/2009/07/08/AR2009070804197.html>

⁶ Nacha Cattani, "UN Questions Mexican Army's Role in Drug War", *Christian Science Monitor*, 1 April 2011, URL: <http://www.csmonitor.com/World/Americas/2011/0401/UN-questions-Mexican-Army-s-role-in-drug-war>

⁷ Ibid.

cards like the one used in Iraq, the pack would look a lot thinner.”⁸ Arrests, extraditions and killings of cartel members have all risen under Calderon’s leadership. Long resisted by previous presidents, extraditions of drug criminals wanted in the US increased under Calderon. There were nearly 300 extraditions between 2007 and 2010. There have been notable successes against cartel leadership. The Beltran-Leyva Organization (BLO) has been particularly hard hit by Mexican authorities with the capture of Alfredo Beltran-Leyva in 2008, the killing of Arturo Beltran-Leyva in 2009, the arrest of Carlos Beltran-Leyva in 2009, and the arrest of Edgar Valdez Villareal in 2010. The Gulf cartel has been stung by a high level loss with the death of its co-leader Antonio Cardenas in 2010. The third in command of the Sinaloa cartel, Ignacio Coronel was killed in 2010. The leader of La Familia, Nazario Moreno Gonzalez, could not escape the reach of Mexican authorities; he was killed in late 2010. Los Zetas have also been damaged by Mexico’s efforts. Several cell leaders have been arrested and killed. In addition, other evidence has suggested that Los Zetas ability to recruit members has been affected by government actions. Many gunmen for Los Zetas who have been captured are less professional than those of previous years; many are teenagers unable to use their weapons or drunks and addicts who are incompetent. Recruitment issues were evident in the attempted move by Los Zetas to pressgang the 72 migrants who were then killed for their refusal to work for the cartel.

For the cartels, breaking the stalemate with the government has meant increasing levels of violence against agents of the state. By 2010, a total of 915 municipal police, 698 state police and 463 federal agents had been killed.⁹ Violence is often meant to send a message; “a primary goal of communication, namely to modify people’s beliefs about a situation or a person, is often better achieved by deeds than by words. Actions send signals and are often meant to.”¹⁰ In Mexico, horrific acts like decapitations in discos, displaying heads in soccer fields and sewing a rival’s face to a soccer ball, all serve as signals to rivals and to the government.¹¹ They are a cartel’s version of “shock and awe”.¹² As Jorge Chabat puts it, “this is psychological warfare. These beheadings serve to stun. They cut them off *to show us what they are capable of*.”¹³ The effect is to gain a reputation for ruthlessness that will make a cartel more credible, perhaps forestalling the future need to use violence and to achieve a level of security to continue its operations. It is akin to what Thomas Schelling called “vicious diplomacy”.¹⁴

From Stalemate to Accidental Narco

In the face of stalemate, there is the danger of an “accidental narco” syndrome developing in Mexico. Unlike the balloon effect of counternarcotics operations spreading the trafficking of drugs in other regions and unlike David Kilcullen’s notion of the “accidental guerrilla” whereby pursuit of jihadist terror groups only leads to the creation of more, the accidental narco refers to the Mexican government becoming a type of cartel enforcer in its own

⁸ “Falling Kingpins, Rising Violence”, *Economist*, 18 December 2010, 56.

⁹ Gonzales, Maria de la Luz (2009-03-25). “Suman 10 mil 475 ejecuciones en esta administracion: PGR” (in Spanish). *El Universal*. <http://www.eluniversal.com.mx/nacion/166613.html> (accessed 2 July 2010).

¹⁰ Diego Gambetta, *Codes of the Underworld*, (Princeton: Princeton University Press, 2009), ix.

¹¹ “Drug Cartel in Mexico Killing Street Dealers”, *azcentral.com*, 18 June 2009, <http://www.azcentral.com/news/articles/2009/06/18/20090618DrugWarMexico.html> (accessed on 22 June 2010); “Cartel Stitches Victim’s Face on Soccer Ball”, *msnbc.com*, 8 January 2010, http://www.msnbc.msn.com/id/34774234/ns/world_news-americas/ (accessed on 22 June 2010)

¹² William Booth, “Mexican Cartels Send Messages of Death”, www.msnbc.com, 4 December 2008, www.msnbc.com/id/2804515/print/1/displaymode/1098 (accessed on 5 December 2008).

¹³ *Ibid.* (emphasis added)

¹⁴ Thomas Schelling, *Arms and Influence*, (Connecticut: Greenwood Press, 1977).

right. Tempted to show progress to the US and the Mexican people in lowering drug violence, the Mexican government may choose to collude with some of the less violent cartels in order to gain intelligence and information to use against the most violent cartels. In essence, the government becomes an armed wing of the cooperative cartels by clamping down on rivals and arresting their members. Depending on the scope and intensity of the Mexican state's actions, violence could increase in the near term or become protracted depending on the capabilities and will of the targeted cartels. There has been a glimpse of this with the Ciudad Juarez car bomb detonated in July 2010. The Juarez Cartel detonated the bomb in the belief that the Mexican government was siding with its rival, the Sinaloa Cartel. Graffiti on a wall of a shopping mall contained a claim of responsibility for the car bomb used against Mexican law enforcement; it read in Spanish "What happened on the 16 (street) is going to keep happening to all the authorities that continue to support Chapo (Guzman), sincerely, the Juarez Cartel. We still have car bombs (expletive) ha ha."¹⁵ Another message was aimed at the FBI and DEA which was posted in an elementary school in Juarez: "FBI and DEA, start investigating authorities that support the Sinaloa Cartel, if you do not, we will get those federal officers with car bombs. If corrupt federal officers are not arrested within 15 days, we will put 100 kilograms of C-4 in a car."¹⁶

Under an accidental narco scenario, a protracted and bloodier campaign may ensue because the cartels and government begin to use violence as methods of deterrence and coercion. The US will be torn between supporting the Mexican government's strategy and criticizing it for not fully combating all the cartels. Cartels may also begin to more actively target US interests if they believe the US is supporting the Mexican government's targeting of them over their rivals. Faced with what might appear to the targeted cartels as an all-out effort against them, there would be little to deter them from using more violent tactics against state agents. The targeted cartels may even band together and form an alliance of convenience to combat the US and Mexican actions.

However, the formation of such an alliance may lead to "pax narcotica". A balance of power may emerge among the cartels with clear spheres of influence, division of labor or specialization of skills. One cartel may become the obvious hegemon and serve as a regulator in the hypercompetitive illegal drug market. The current violence in Mexico may be seen as a consolidation phase; the mosaic cartel war is a process for some cartels or a single cartel to consolidate the various factions and cliques that are bringing inefficiencies to the hypercompetitive illegal narcotics market. One possibility is that the New Federation of the Gulf and Sinaloa cartels may prevail against their rival, Los Zetas, and become a type of "concert of cartels" that acts as a long-standing board of directors that will manage drug trafficking disputes.

After consolidation, a tacit deal may then be cut with the government to permit the cartels to traffic drugs without high level violence in exchange for limited prosecutions and the end of extraditions to the US. Two former senior members of PRI and PAN governments have previously suggested such a deal. Former Foreign Minister Jorge Castaneda suggested illegal

¹⁵ Alicia Caldwell, "US Official: Mexican Car Bomb Likely Used Tovex", *Washington Post*, 19 July 2010, <http://www.washingtonpost.com/wp-dyn/content/article/2010/07/19/AR2010071901027.html> (accessed on 28 July 2010).

¹⁶ Foreign Military Studies Office, Latin America Security Watch, "Mexico: Special Interest", 19 July 2010. Spanish source: <http://www.elagoradecihuahua.com/Amenazan-con-mas-coches-bomba,25606.html>

activities by the cartels would be permitted if they curbed public violence.¹⁷ President Fox's former spokesperson, Ruben Aguilar, argued that "we must constrain the actions of organized crime, obligate them to obey the rules of operation and in this context, we would have to accept the possibility of...legalizing the sale of drugs under certain agreements."¹⁸ In the run-up to the Mexican presidential election in 2012, the PRI was vague in how it would handle drug violence and its presumed standard bearer for the presidency was elusive in answering questions about the way forward.¹⁹ One of the PRI's leader in the senate seemed to pine for a return to the old understandings between it and the cartels by saying that when the PRI was in power "I never saw a decapitation in the streets of Mexico."²⁰ As previously mentioned, at least one cartel, La Familia, had proposed truces with the government and promised a reduction in violence if the government focuses more on targeting its adversaries. At the end of 2010, La Familia sought to disband under certain guarantees from the Mexican government.²¹ However, the successor group to La Familia, Los Caballeros Templarios, has not relented in its killing nor has it ended the trafficking of drugs initiated by La Familia.

Rather than viewing a government rapprochement with the cartels as the failure of the rule of law, Mexican civil society may become amenable to *pax narcotica*, making such tacit deal making more broadly acceptable. In the latter part of 2010, Mexicans appeared to be experiencing war fatigue; for the first time since Calderon declared war on the cartels, a plurality of Mexicans considered the campaign a failure.²² Under such a "peace", however, it would be difficult to know where the drug cartels influence on Mexican politics begins or ends, or even if the government has any means to affect the actions of the cartels should they step outside the tacit agreement. *Pax narcotica* could be just a step in the direction towards the Mexican state becoming a full-blown narco-state, meaning even more difficulties for the US-Mexican relationship. The US government would likely increase its pressure on Mexico to clean-up its corrupt deal-making, while the Mexican government would be at the mercy of the threats of the cartels to return Mexico to ever higher levels of criminal violence.

The End of Merida Initiative?

Would the accidental narco scenario mean the end of the Merida Initiative? Would it mean that the US would seek new policies and strategies? The answers are not as clear as they might seem. If the violence in Mexico begins to decline and if spillover violence in the US also declines as a result of renewed collusion between the Mexican government and certain cartels, many would see such declines as marks of success. Therefore, the Merida Initiative would be seen as successful—contain and consolidate would be vindicated. US policy makers may decide to roll back the support for the Merida Initiative in the wake of successes.

However, if drug violence and spillover crime continue, the Merida Initiative may still be in jeopardy. Unlike Plan Colombia, the Merida Initiative will be judged on its own merits in tackling cartel violence. There was a unique international seam where Colombia fell that gave

¹⁷ Robert Bonner, "New Cocaine Cowboys", *Foreign Affairs* (July/August 2010).

¹⁸ George Grayson, *Mexico*, (Rutgers: Transaction Publishers, 2009), 258.

¹⁹ "Saddling Up for the Trail to Los Pinos", *Economist*, 29 January 2011, 34.

²⁰ Ibid.

²¹ Sara Miller Llana, "Mexico's La Familia cartel to Government: We'll Disband if you Protect Citizens", *Christian Science Monitor*, 11 November 2010, URL: <http://www.csmonitor.com/World/Global-News/2010/1111/Mexico-s-La-Familia-cartel-to-government-We-ll-disband-if-you-protect-citizens>

²² "Falling Kingpins", *Economist*, 56.

impetus to various US responses; this cannot be replicated in the case of Mexico. During Cold War, American support for counternarcotics operations was secondary to the anti-communist crusade. When the Clinton Administration developed Plan Colombia in the aftermath of the Cold War, counterinsurgency operations were conducted under the cloak of counternarcotics operations. In the post-9/11 world, counternarcotics have been subsumed under counter-terrorism. Each American president has been able to increase or decrease the relative profile of Colombia's struggle against drug traffickers based on the international environment of the time. The international environment was then used to justify funding from Congress. Mexico, in contrast, has not been a battlefield of international politics, meaning that American policy-makers cannot adjust their strategies to earn support from Congress in the same ways as they did with Colombia. In fact, there is already some Congressional balking at the cost of Merida Initiative.²³ The long term sustainability of such funding is an open question that cannot be answered by adjusting the role of counternarcotics plays in other struggles that are tied to an international dimension. Ways to justify such spending will rest on how it will contribute to greater safety for US citizens at home (and those travelling in Mexico) and the reliability of Mexico as a partner to achieve a reduction in violence and drug trafficking. This reliability is likely to be an abiding debate in the halls of Congress.

While an accidental narco scenario may lead to the end of the Merida Initiative, ending the Merida Initiative may also provoke the emergence of an accidental narco scenario. Without US support, the Mexican government may find that it has little choice but to collude with a cartel or group of cartels as a way to inject stability into the drug trafficking market, hoping that this leads to a lowering of the violence. If the US exits from the Merida Initiative, the backlash among Mexican policy-makers would be palpable. The overall US-Mexican relationship may suffer; other issues of mutual concern like trade, energy, immigration and pandemic control would likely be reprioritized or be strictly viewed through a security prism. Contain and consolidate may give way to "contain and isolate"—the US may try to more robustly contain the dangerous effects of cartel violence while attempting to isolate itself from the need to rely on Mexican cooperation over those issues of mutual concern.

Therefore, the near future of the Merida Initiative rests on several policy dilemmas. Breaking through these dilemmas will rest in large measure on what happens in 2012 when both the US and Mexico have presidential elections. A new era in the relationship may emerge. Mexico will have a new president and whoever wins the presidency in the US may see new priorities in national security and thus a new place for Mexico among these priorities. A shared border may come to mean further sharing of responsibilities or the border may become a sharp dividing line between two sides who have their backs to one another.

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²³ Spencer Hsu and Mary Beth Sheridan, "Anti-Drug Effort at US Border Readied", *Washington Post*, 22 March 2009, A1.

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